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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,488	05/11/2005	Yuichi Inada	59559.00020	7113

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EXAMINER
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BODAWALA, DIMPLE N

ART UNIT	PAPER NUMBER
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1722

MAIL DATE	DELIVERY MODE
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09/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/534,488	INADA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dimple N. Bodawala	1722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 15 is/are pending in the application.
- 4a) Of the above claim(s) 12-14 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-11 and 15 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Amendment*

Claims 1-11 and 15 are pending.

Claims 12-14 and 16 are withdrawn.

In view of amendment, filed on July 10 2007, following rejection as reasons of record is withdrawn from the previous office action, mailed on April 18, 2007.

- ❖ Rejection of claims 1-3,5,7,9-11 and 15 under 35 U S C 102(b) as being anticipated by Yasuda (U S Patent No. 5,820,898).

### *Response to Arguments*

Applicant's arguments with respect to claims 1 and 10 have been considered but are moot in view of the new ground(s) of rejection.

### *New Grounds of Rejections*

#### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-11 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 10 are rejected because claims recite the limitation "the course of said press fit" in line 7. There is insufficient antecedent basis for this limitation in the claims, because the limitation "the course of the press fit" is not defined earlier in claims, which makes the scope of the claims indeterminate.

Claim 3 is vague and indefinite because it is unclear about means of "the same plane", in where the front-end surface of the inner holder and the front-end surface of the stamper are brought.

Claim 3 is rejected because claim 3 recites the limitation "the same plane" in line 3, which lacks sufficient antecedent basis for this limitation. Claim 3 is depended on claim 1, wherein claim 1 does not teach or suggest anything related to "the same plane", which makes the scope of the claim indeterminate.

Claim 9 is rejected because claim 9 discloses improper dependency. Claim 9 recites the limitations "the front end surface of the inner holder" and "the front-end surface of the stamper" in lines 1-2. There is insufficient antecedent basis for these limitations because claim 9 is depended on claim 1, wherein claim 1 discloses the inner holder and the stamper as claimed limitations but does not teach or suggest about the front end surface of the

inner holder and the front end surface of the stamper as defined in the claim  
9.

Therefore, appropriate corrections are required for claims 1,3,9 and 10.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9-11 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyama et al. (U S Patent No. 7,044,726 B2).

Koyama ('726) discloses a mold assembly (51), which comprises a mirror surface disc (63; 23) (See col.2 lines 1-2; col.3 line 16), a stamper (66) having a hole (66h) formed as its center, and attached to the front-end surface (63b) of the mirror surface disc (63); and an inner holder (65) for

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holding a stamper (66), wherein an inner holder (65) comprises a ring shaped holding piece (65a) as a hole for holding a stamper (See figure 11; col.2 lines 35-38 and 50-59) by means of press fit into the hole (See col.2 lines 34-37). It further teaches that the stamper (66) is heated to predetermined temperature for increasing the diameter of the center hole of the stamper for press fit (See col.8 lines 38-65), which inherently teaches that the stamper is subjected to stress in excess of yield point and plastically deformed in the course of press fit.

It further teaches that the front-end surface of the stamper holder and the front-end surface of the stamper are brought into the same plane for performing press fit (See col.8 lines 38-65).

It further discloses a stepped portion of the holder as a stopper member for stopping the inner holder at such a position that the front end surface of the inner holder and the front end surface of the stamper are brought into the same plane (See col.8 lines 38-65).

It further teaches that the press fit is performed in a press fit deformation region established at each of at least two positions in a circumferential direction of the stamper and the inner holder (See col.2 lines 50-59), wherein an outer circumferential surface of the inner holder comprises a plurality of surfaces (See col.5 lines 43-46), and a diameter of a

front end surface of the inner holder is greater than a diameter of a rear end of the inner holder (See col.5 lines 33-36; col.7 lines 36-40).

Figure 11 teaches that the front-end surface of the inner holder project from the front-end surface of the stamper.

It further discloses a mold assembly (51) as a molding machine for molding a mold which comprises a fixed first mold (11) as a first mold assembly; a moveable mold (21) as a second assembly, wherein second mold assembly is disposed in such a manner as to be able to advance toward and retreat from the first mold assembly (See figure 1; col.6 lines 55-58); a hole of sprue bushing (14a) as an insert for inserting molding material into the cavity, wherein the hole (14a) or an insert is disposed in first mold assembly (11) (See figure 1); a stamper holder (15) and a stamper (16). It further teaches that the holder (15) is involved for disposing the insert (14a) (See figure 1).

Koyama ('726) discloses all claimed structural limitations as discussed above, and, thus, the claims are anticipated.

***Allowable Subject Matter***

Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to teach or suggest a mold for molding as defined in claim 8. The closest prior art, Koyama et al. (U S Patent No. 7,044,726 B2) discloses all structural limitations as discussed above but fails to teach or suggest a detachment preventive portion is formed for preventing detachment of the stamper from the inner holder as defined in claim 8 of the instant application.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTOL-892 for further references related to disc molding mold with stamper).

Yasuda et al. (U S Patent No. 6,558,152 B2) discloses a disc molding mold with stamper and further comprising press fit mechanism.

Plourde et al. (U S Patent No. 6,139,307) discloses an assembly for molding optical data storage disks force mechanism as a press mechanism (See col.6 lines 59-67).




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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dimple N. Bodawala whose telephone number is (571) 272-6455. The examiner can normally be reached on Monday - Friday at 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra N. Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DNB



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